

REMARKS

Claims 1, 3-6, 20 and 33 are pending in the present application. Claim 2 is cancelled. Claims 7-19 21-32, 34-48 have been withdrawn from consideration as being directed to non-elected subject matter. The Action has rejected claims 1, 2, 5-6, 20 and 33, and objected to claims 1-6, 20 and 33.

In view of the above amendments and following remarks, Applicants request reconsideration of the last Action.

I. Rejection pursuant to 35 U.S.C. §103

Applicants have amended the claims to allowable subject matter, claims wherein the compound aspect thereof has an AR moiety therein defined as 7H-pyrrolo-[2,3-d]-pyrimidinyl. Such should be considered to be allowable in view of the Examiner's statement in the Action that stated that "Applicants' elected species of 3-guanidinecarbonyl-1-(7-methyl-7H-pyrrolo[2,3-d]pyrimidin-4-yl)-1 H-indole appears allowable over the prior art of record", and as no art was found when the search of the Markush type claim was extended to compounds wherein

R1, R2, R3,n, Ra, Rb and R4 are as found in claim 1 and Ar is 7H-pyrrolo-[2,3-d]-pyrimidine, which may be linked via any of its positions and which is substituted in at least one of its positions by alkyl having 1, 2, 3, 4, 5 or 6 carbon atoms, halogen, nitro, NRaRb, alkylcarbonylamino having 1,2,3 or 4 carbon atoms, hydroxyl, alkoxy having 1,2,3,4,5 or 6 carbon atoms, S(O)nR4, CO2H, alkoxycarbonyl having 1, 2, 3, 4, 5 or 6 carbon atoms, alkylcarbonyl having 1,2,3,4,5 or 6 carbon atoms, CONRaRb, CN, polyfluoroalkyl having 1,2,3 or 4 carbon atoms, polyfluoroalkoxy having 1,2 or 3 carbon atoms or SO3H, or a racemic mixture, enantiomer, diastereomer, or tautomer of such compound, or a mixture thereof, or a pharmaceutically acceptable salt of such compound, racemic mixture, enantiomer, diastereomer, tautomer, or mixture.

In view of the aforesaid, Applicants submit that the rejection should be reconsidered and withdrawn.

II. Objection to the Claims

The claims were objection to for not being limited to the elected invention. As the claims have been amended as noted above and such is limited to what was designated as the elected invention, then the claims should no longer be subject to being

objected to. In view of the aforesaid, Applicants submit that the objection should be reconsidered and withdrawn.

III. Comment on Lang Reference

Applicants note also that they reserve the right to pursue cancelled/deleted subject matter, more particularly that is those claims wherein AR is quinoline or isoquinoline in a continuation or divisional application. With regard to such, Applicants want to clarify the record that their statement in the response filed January 16, 2008, that the Lang reference teaches quinolinyl and isoquinolinyl moieties could be substituted, and then only with regard to variables R(1) and R(5), was in error. Applicants noted this position in the reply filed August 18, 2008, and maintain the contention that Lang could not provide for quinolinyl or isoquinolinyl moieties as being substituted.

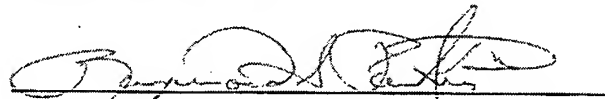
Conclusion

Applicants respectfully submit that, in the absence of any prior art to compromise any of the pending claims, Applicants request an indication of allowable subject matter.

The Commissioner is hereby authorized to charge the fee required and any additional fees that may be needed to Deposit Account No. 18-1982 in the name of Aventis Pharmaceuticals Inc.

Respectfully submitted,

October 16, 2008



Raymond S. Parker, III, Reg. No.: 34,893
Attorney for Applicants

sanofi-aventis U.S.
US Patent Department
1041 Route #202-206
Bridgewater, NJ 08807-0800
Telephone (908) 231-5674
Telefax (908) 231-2626
DEAV2002/0094 US CNT